

Message Text

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ACTION EUR-12

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USEEC

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SUBJ: EC COUNCIL'S LABOR AND SOCIAL AFFAIRS AGENDA

REFS: (A) BRUSSELS 15361 (B) EC A-185, '77
(C) BRUSSELS 7074

1. MORTEN FENGER, LABOR ATTACHE IN THE DANISH REPRESENTATION TO THE EUROPEAN COMMUNITIES AND CURRENTLY CHAIRMAN OF THE SOCIAL AFFAIRS WORKING GROUP OF THE EC COUNCIL'S COMMITTEE OF PERMANENT REPRESENTATIVES, PROVIDED US JANUARY 20 WITH A RUNDOWN ON PRIORITIES DANES HAVE IN SOCIAL AFFAIRS FIELD DURING THEIR SIX-MONTH EC PRESIDENCY. HE SAID THAT DANES HAVE A "PRAGMATIC" VIEW OF THEIR PRESIDENCY AND THUS HAVE TRIED TO SET ONLY REALISTIC GOALS.

2. THE TWO MOST IMPORTANT GOALS SET FOR THE SOCIAL AFFAIRS WORKING GROUP FOR THE FIRST HALF OF 1978, HE SAID, DEAL WITH:

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(A) YOUTH EMPLOYMENT. HAVING IN OCTOBER GIVEN ITS APPROVAL IN PRINCIPLE TO SOME COMMUNITY EFFORTS IN THIS FIELD (REF A), THE COUNCIL IS EXPECTING THE COMMISSION TO PRESENT CONCRETE PROPOSALS ON HOW TO USE THE COMMISSION'S SOCIAL FUND FOR STIMULATING YOUTH EMPLOYMENT.

(B) OCCUPATIONAL HEALTH AND SAFETY. THE COM-

MISSION IN DECEMBER SENT THE COUNCIL A DRAFT RESOLUTION "ON A COMMUNITY ACTION PROGRAM ON SAFETY AND HEALTH AT WORK." ALTHOUGH THERE SEEMS TO BE A CONSENSUS IN THE COMMUNITY TO HAVE THE COMMISSION DO MUCH MORE IN THIS FIELD, THE COUNCIL MUST SORT OUT THE VARIOUS ELEMENTS OF THE WIDE-RANGING (AND VERY GENERAL) COMMISSION PROPOSAL AND DETERMINE PRIORITIES. THE WORKING GROUP HAS BEGUN ITS WORK ON THIS SUBJECT.

3. THE WORKING GROUP, SAID FENGER, WILL ALSO GIVE SERIOUS ATTENTION TO THE FOLLOWING ISSUES:

(A) NIGHT WORK AND SHIFT WORK. THE COMMISSION, AT THE FRENCH GOVERNMENT'S REQUEST, IS PUTTING FINISHING TOUCHES ON A PROPOSED DIRECTIVE ON THIS SUBJECT. MAIN ELEMENT IN THE PROPOSAL WILL PROBABLY BE A REQUIREMENT THAT A COMPANY MUST OBTAIN APPROVAL FROM A PUBLIC AUTHORITY BEFORE OPERATING NIGHT SHIFTS.

(B) BANKRUPTCY OF FIRMS. THE COMMISSION IS PREPARING A DIRECTIVE ON PROTECTING WORKERS' RIGHTS IN CASE OF A FIRM'S BANKRUPTCY. THE PROPOSAL WILL PROBABLY INCLUDE A REQUIREMENT THAT EACH GOVERNMENT HAVE A CENTRAL FUND TO REIMBURSE WORKERS FOR ANY LOSS IN PAY AND BENEFITS CAUSED BY A BANKRUPTCY. THIS PROPOSAL WILL PROBABLY REQUIRE MANY MONTHS OF STUDY, BUT "WE WILL GET STARTED ON IT," LIMITED OFFICIAL USE

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SAID FENGER.

(C) SOCIAL SECURITY FOR MIGRANTS. THE COMMISSION IS SUBMITTING A PROPOSAL ON GRANTING SELF-EMPLOYED MIGRANT WORKERS SOME TRANSFER RIGHTS ON SOCIAL SECURITY CREDITS THEY EARN IN COMMUNITY COUNTRIES, SIMILAR TO CREDITS EMPLOYED MIGRANTS NOW CAN ACCRUE ACROSS EC BORDERS. THIS PROPOSAL, TOO, WILL REQUIRE MUCH WORK, BUT IS "WORTH STARTING ON DURING OUR PRESIDENCY," ACCORDING TO FENGER.

(C) ILLEGAL MIGRANTS. THE COMMISSION IN NOVEMBER 1976 SUBMITTED TO THE COUNCIL A PROPOSED DIRECTIVE ON THE "HARMONIZATION OF LAWS IN MEMBER STATES TO COMBAT ILLEGAL MIGRATION AND ILLEGAL EMPLOYMENT"(REF B). THIS DIRECTIVE HAS NOT BEEN ADOPTED BECAUSE OF OPPOSITION TO ITS PROPOSED CRIMINAL SANCTIONS AGAINST EMPLOYMENT AGENCIES, EMPLOYERS, AND MIGRANTS INVOLVED IN ILLEGAL EMPLOYMENT. EC COMMISSION VICE PRESIDENT VREDELING HAS PROMISED TO PRESENT A NEW PROPOSAL ON ILLEGAL MIGRANTS, A SUBJECT WHICH, ACCORDING TO FENGER, REMAINS A MATTER OF CONCERN.

4. ITEMS FROM THE ABOVE LISTS WILL BE ON THE AGENDA FOR THE TWO MEETINGS OF THE EC LABOR AND SOCIAL AFFAIRS MINISTERS PLANNED FOR THE FIRST HALF OF 1978. ONE MEETING HAS BEEN SCHEDULED FOR APRIL 24. ANOTHER WILL PROBABLY BE HELD TOWARD THE END OF JUNE, ACCORDING TO FENGER AND COMMISSION SOURCES.

5. IN ADDITION, BETWEEN NOW AND JUNE 30 THE COUNCIL WILL PROBABLY HOLD TWO MEETINGS OF ITS STANDING COMMITTEE ON EMPLOYMENT, ON WHICH THE COMMISSION AND COMMUNITY LABOR

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AND EMPLOYER ORGANIZATIONS ARE ALSO REPRESENTED. THE COMMITTEE WILL DISCUSS COMMISSION PAPERS (NOT YET COMPLETED) ON TWO SUBJECTS--WORK SHARING AND THE ROLE OF THE PUBLIC AND TERTIARY SECTORS IN JOB CREATION. THE DECISION TO DO THESE STUDIES WAS MADE IN JUNE 1977 AT THE COMMUNITY'S TRIPARTITE CONFERENCE IN LUXEMBOURG (REF C). HINTON

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